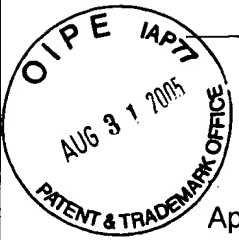


Please Direct All Correspondence to Customer Number **20995**

TRANSMITTAL LETTER
INFORMATION DISCLOSURE STATEMENT

Appl. No. : 09/195,791
Applicants : Mohamed K. Diab et al.
Filed : November 17, 1998
TC/A.U. : 3736
Examiner : Eric F. Winakur

Title : SIGNAL PROCESSING
APPARATUS

Docket No. : MASIMO.7CP1C5
Customer No. : 20,995

Certificate Of Mailing

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 29, 2005

(Date)

John M. Grover, Reg. No. 42,610

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

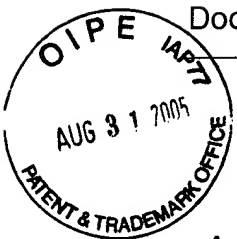
Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
- (X) Listing 6 references.
 - (X) Enclosing 6 references.
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995
(949) 760-0404

**INFORMATION DISCLOSURE STATEMENT**

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is an Information Disclosure Statement (IDS) by Applicant (PTO/SB/08 equivalent) listing 6 references to be considered by the Examiner. The 6 references supplement the June 15, 2005 IDS submitted herein in accordance with M.P.E.P. § 2001.06(c) identifying the existence of litigation and references associated therewith. Moreover, this IDS is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required. However, if necessary, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 29, 2005

By:

John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995
(949) 760-0404

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Multiple sheets used when necessary)

AUG 31 2005

SHEET 1 OF 1

Application No. 09/195,791

Filing Date November 17, 1998

First Named Inventor Mohamed K. Diab et al.

Art Unit 3736

Examiner Eric F. Winakur

Attorney Docket No. MASIMO.7CP1C5

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
	1	Supplemental Response to Plaintiff Masimo's First Set of Interrogatories to Defendant Mallinckrodt Inc. Pursuant to FED.R.CIV.P.26(e).	
	2	Nellcor's Second Supplemental Response to Masimo's First Set of Interrogatories in Consolidated Case (No. 2), dated 7/14/03.	
	3	Addendum to Nellcor's Second Supplemental Response to Masimo's First Set of Interrogatories in the Consolidated Case (No. 2), dated 7/15/03.	
	4	Second Addendum to Nellcor's Second Supplemental Response to Masimo's First Set of Interrogatories in the Consolidated Case (No. 2), dated 8/10/03.	
	5	Third Addendum to Nellcor's Second Supplemental Response to Masimo's First Set of Interrogatories in the Consolidated Case (No. 2), dated 8/13/003.	
	6	Nellcor's October 13, 2003 Supplemental and Revised Response to Masimo's First Set of Interrogatories in the Consolidated Case (No. 2), dated 10/13/03.	

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Examiner Signature

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.